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4 November 2024

**By Registered Post & Fax**

Environmental Infrastructure Division  
Environmental Protection Department

**Environmental Impact Assessment (EIA) Ordinance, Cap.499  
Application for EIA Study Brief**

**Project Title: Development of Hung Shui Kiu Transfer Station  
(Application No. ESB-371/2024)**

I refer to your above application received on 23 September 2024 for an EIA Study Brief under Section 5(1)(a) of the EIA Ordinance.

In accordance with Section 5(7)(a) of the EIA Ordinance and after public inspection of the project profile, I issue the attached EIA Study Brief (No. ESB-371/2024) for your preparation of an EIA report.

Under Section 15 of the EIA Ordinance, the EIA Study Brief will be placed on the EIA Ordinance Register. It will also be placed on the EIA Ordinance website (<http://www.epd.gov.hk/eia/>).

You may submit an application for approval of the EIA report in accordance with Section 6(2) of the EIA Ordinance after its completion. Upon receipt of your application, this department will decide under Section 6(3) of the EIA Ordinance whether the EIA report meets the requirements of the EIA Study Brief and Technical Memorandum on EIA Process, and accordingly advise you under Section 6(4) of the EIA Ordinance whether a submission to the Advisory Council on the Environment (ACE) or its subcommittee is required. In this connection, you are required to provide a set of soft copy of the Executive Summary of the EIA report to the Secretariat of the EIA Subcommittee of the Council by email at [acesecretariat@eeb.gov.hk](mailto:acesecretariat@eeb.gov.hk) for selection of submission when you submit the EIA report to this department for approval. Should you have questions on the submission, please contact Executive Officer (Cross-Boundary & International Division) 1 of the Secretariat of the EIA Subcommittee of the ACE at 2594 6324.

If the EIA report is selected by ACE for submission and presentation, you are expected to provide ACE with an account of the environmental issues arising from the project, major

conclusions and recommendations of the EIA study. In particular, the main environmental concerns of the general public and interest groups who may be affected by the Project should be identified and addressed in the EIA study. As such, you are strongly advised to engage the public and interest groups during the course of the EIA study. Please find attached a copy of the “*Guidance Note on Advertisement and Public Inspection of Documents*” and “*Modus Operandi of the EIA Subcommittee of the Advisory Council on the Environment*” for your reference.

Please note that if you are aggrieved by any of the content of this EIA Study Brief, you may appeal under Section 17 of the EIA Ordinance within 30 days of receipt of this EIA Study Brief.

Should you have any queries on the above application, please contact my colleague Mr. Tom TAM at 2835 1107.

Yours sincerely,



(Ms. Clara U)

Principal Environmental Protection Officer  
for Director of Environmental Protection

Encl.

c.c. (w/o encl.)

ACE EIA Subcommittee Secretariat

(Attn. : Executive Officer (Cross-Boundary & International Division) 1) Fax: 2872 0603

**Environmental Impact Assessment Ordinance (Cap. 499), Section 5(7)****Environmental Impact Assessment Study Brief No. ESB-371/2024**

**Project Title: Development of Hung Shui Kiu Transfer Station  
(hereinafter known as the “Project”)**

**Name of Applicant: Environmental Infrastructure Division  
Environmental Protection Department  
(hereinafter known as the “Applicant”)**

**1. BACKGROUND**

- 1.1 An application (No. ESB-371/2024) for an Environmental Impact Assessment (EIA) Study Brief under Section 5(1)(a) of the Environmental Impact Assessment Ordinance (EIAO) was submitted by the Applicant on 23 September 2024 with a project profile (No. PP-674/2024) (the Project Profile).
- 1.2 The Project is to construct and operate the Hung Shui Kiu Transfer Station (HSKRT) at the Hung Shui Kiu / Ha Tsuen New Development Area (HSK/HT NDA), as shown in **Appendix A**. The proposed HSKRT would have a design capacity of 800-1000 tonnes per day (tpd) for municipal solid waste (MSW) transfer service covering mainly the catchment areas of HSK/HT NDA, Tin Shui Wai New Town and Yuen Long area. The Project comprises:
- (i) waste reception and compaction facilities;
  - (ii) site office and maintenance workshop;
  - (iii) air pollution control and wastewater treatment system;
  - (iv) access roads with weighbridges, ramp to the tipping hall and vehicle washing facilities;
  - (v) designated ingress and egress for connecting access road leading to road network; and
  - (vi) ancillary and supporting equipment and facilities such as forced ventilation, power supply, water supply, drainage, fire service, instrumentation control system, mobile plants and compacted waste containers.

- 1.3 The Project is a designated project by virtue of Item G.2 of Schedule 2, Part I of the EIAO, which specifies “*A refuse transfer station*”.
- 1.4 Pursuant to Section 5(7)(a) of the EIAO, the Director of Environmental Protection (the Director) issues this Environmental Impact Assessment (EIA) Study Brief to the Applicant to carry out an EIA study.
- 1.5 The purpose of this EIA study is to provide information on the nature and extent of environmental impacts arising from the construction and operation of the Project and associated works that will take place concurrently. This information will contribute to decisions by the Director on:
  - (i) the overall acceptability of any adverse environmental consequences that are likely to arise as a result of the Project;
  - (ii) the conditions and requirements for the detailed design, construction and operation of the Project to mitigate against adverse environmental consequences wherever practicable; and
  - (iii) the acceptability of residual impacts after the proposed mitigation measures are implemented.

## **2. OBJECTIVES OF THE EIA STUDY**

- 2.1 The objectives of the EIA study are as follows:
  - (i) to describe the Project and associated works together with the requirements and environmental benefits for carrying out the Project;
  - (ii) to identify and describe the elements of the community and environment likely to be affected by the Project and/or likely to cause adverse impacts to the Project, including both the natural and man-made environment and the associated environmental constraints;
  - (iii) to identify and quantify any potential impacts from point and non-point pollution sources on the identified water systems and sensitive receivers and to propose measures to mitigate these impacts;
  - (iv) to identify and quantify emission sources and determine the significance of impacts on sensitive receivers and potential affected uses, and to propose measures to mitigate these impacts;
  - (v) to identify and quantify any potential waste management issues and impacts arising from the construction and operation activities of the Project and to propose measures to mitigate these impacts;

- (vi) to identify, evaluate and address any potential ecological impacts arising from the construction and operation of the project and to proposed measures to mitigate these impacts;
- (vii) to identify any potential visual impact and to propose measures to mitigate the impact;
- (viii) to propose the provision of infrastructure or mitigation measures so as to minimise pollution, environmental disturbance and nuisance during the construction and operation of the Project;
- (ix) to investigate the feasibility, practicability, effectiveness and implications of the proposed mitigation measures;
- (x) to identify, predict and evaluate the residual environmental impacts (i.e. after practicable mitigation) and the cumulative impacts expected to arise during the construction and operation of the Project in relation to the sensitive receivers and potential affected uses;
- (xi) to identify, assess and specify methods, measures and standards, to be included in the detailed design, construction and operation of the Project which are necessary to mitigate these residual environmental impacts and cumulative impacts and reduce them to acceptable levels;
- (xii) to investigate the extent of the secondary environmental impacts that may arise from the proposed mitigation measures and to identify constraints associated with the mitigation measures recommended in the EIA study, as well as the provision of any necessary modification;
- (xiii) to design and specify the environmental monitoring and audit requirements; and
- (xiv) to identify any additional studies necessary to implement the mitigation measures of monitoring and proposals recommended in the EIA report.

### **3. DETAILED REQUIREMENTS OF THE EIA STUDY**

#### **3.1 The Purpose**

- 3.1.1 The purpose of this EIA Study Brief is to set out the purposes and objectives of the EIA study, the scope of environmental issues which shall be addressed, the requirements that the EIA study shall need to fulfil, and the necessary procedural and reporting requirements. The Applicant shall demonstrate in the EIA report whether the criteria in the relevant sections of the Technical Memorandum on Environmental Impact Assessment Process of the Environmental Impact Assessment Ordinance (hereinafter referred to as “the TM”), are fully complied with.

## **3.2 The Scope**

3.2.1 The scope of this EIA study shall cover the Project and associated works mentioned in Section 1.2 of this EIA Study Brief. For the purpose of assessing whether the environmental impacts shall comply with the criteria of the TM, the EIA study shall address the key issues described below, together with any other key issues identified during the course of the EIA study:

- (i) comparison of the environmental benefits and dis-benefits of different development option(s), design and construction method(s) of the Project;
- (ii) the potential air quality impacts during construction and operation of the Project including odour impacts at the sensitive receivers;
- (iii) the potential noise impacts during construction and operation of the Project;
- (iv) the potential water quality impacts during construction and operation of the Project;
- (v) the potential waste management issues and impacts during construction and operation of the Project;
- (vi) the potential ecological impacts during construction and operation of the Project;
- (vii) the potential visual impacts due to the operation of the Project;
- (viii) the potential cumulative environmental impacts arising from the Project through interaction or in combination with other existing, committed and planned projects in the vicinity of the Project, and that such impacts may have a bearing on the environmental acceptability of the Project. Such assessment shall be based on the best available information to which the Applicant is able to access at the time of the assessment.

## **3.3 Description of the Project**

### **3.3.1 Purpose(s) and Objectives of the Project**

The Applicant shall provide information on the Project, including the purpose(s), objectives and environmental benefits of the Project, and describe the scenarios with and without the Project.

### **3.3.2 Details of the Project**

The Applicant shall indicate the nature and status of Project decision(s) for which the EIA study is undertaken. The Applicant shall describe Project details that may affect the potential environmental impacts, including the proposed siting, scale/size, layout design, construction methods, sequence of construction works, vehicular access

arrangements, location of ventilation system/shaft(s), emergency situations (such as equipment breakdown, major traffic accident, fire, sudden increase in demand before/after public holidays and typhoon), and other major activities involved in the construction and operation phases of the Project, using diagrams, plans and/or maps as necessary. The estimated duration of the construction phase and operational phase of the Project together with the programme within these phases, where appropriate, shall be given. The land taken by the Project, construction sites and any associated access arrangements, auxiliary facilities and landscaping areas shall be shown on a scaled map.

### 3.3.3 Background and History of the Project

The Applicant shall provide information on the site location and site history of the Project, interactions with other projects, and the consideration of the different development options, taking into account the principles of avoidance, minimizing and control of adverse environmental impacts. The options might include siting, transportation route(s), emergency access, location of vehicular entrances/exits, operation modes (such as overnight waste storage, operating hours of RTS, etc.), scale/size, layout design, construction methods and sequence of construction works for the Project. The key reasons for selecting the proposed development option and siting, and the part environmental factors played in the selection shall be described. The main environmental impacts of different development options shall be compared with those of the Project and with the likely future environmental conditions in the absence of the Project.

## 3.4 **Technical Requirements**

3.4.1 The Applicant shall conduct the EIA study to address the environmental aspects of the activities as described in the scope as set out above. The assessment shall be based on the best and latest information available during the course of the EIA study.

3.4.2 The Applicant shall include in the EIA report details of the construction programme and methodologies. The Applicant shall clearly state in the EIA report the time frame and work programmes of the Project and associated works and other concurrent projects and assess the cumulative environmental impacts from the Project with interacting projects, including staged implementation of the Project and associated works.

3.4.3 The EIA study shall follow the technical requirements specified below and in the Appendices of this EIA Study Brief.

### 3.4.4 **Air Quality Impact**

3.4.4.1 The Applicant shall follow the criteria and guidelines for evaluating and assessing the air quality impacts as stated in Section 1 of Annex 4 and Annex 12 of the TM respectively.

3.4.4.2 The assessment area for evaluating the air quality (including odour) impact assessment shall be defined by a distance of 500 metres from the site boundary of the Project and the works of the Project as identified in the EIA study, which shall be extended to include major existing, committed and planned air pollutant emission sources identified to have a bearing on the environmental acceptability of the Project. The assessment shall include the existing, committed and planned air sensitive receivers (ASRs) within the assessment area as well as areas where air quality may be potentially affected by the Project. The assessment shall be based on the best available information at the time of the assessment. The assessment shall also take into account the impacts of emission sources from nearby concurrent projects, if any.

3.4.4.3 The assessment of air quality impact arising from the construction and operation of the Project shall follow the detailed technical requirements given in **Appendix B** of this EIA Study Brief.

### 3.4.5 **Noise Impact**

3.4.5.1 The Applicant shall follow the criteria and guidelines for evaluating and assessing the noise impacts as stated in Annexes 5 and 13 of the TM respectively.

3.4.5.2 The Applicant shall conduct construction noise and operation noise impact assessment on the existing, committed and planned noise sensitive receivers (NSRs) earmarked on the relevant Outline Zoning Plans, Development Permission Area Plans, Outline Development Plans, Layout Plans and other relevant published land use plans, including plans and drawings published by the Lands Department and any land use and development applications approved by the Town Planning Board, in the vicinity of the Project.

3.4.5.3 The Applicant shall review in the EIA report the need for a noise impact assessment associated with the road traffic noise induced by the operation of the Project. A road traffic noise impact assessment is needed if the peak traffic generated by the Project would fall within night time or early morning. The road traffic noise impact assessment shall follow the detailed technical requirements given in **Appendix C** of this EIA study brief.

3.4.5.4 Except for the road traffic noise assessment above, the Applicant shall propose the assessment area for the construction noise and fixed noise sources impact assessment for agreement of the Director before commencing the assessment. Subject to expansion, the assessment area for the noise impact assessment shall generally include areas within 300 metres from the boundary of the Project and the works of the Project. If NSRs are identified within the assessment area, construction noise and fixed noise sources impact assessment shall be carried out. The Applicant shall then propose methodology for agreement of the Director, with reference to Section 4.4.2 of the TM, prior to the commencement of the assessment.

### 3.4.6 **Water Quality Impact**



- 3.4.6.1 The Applicant shall follow the criteria and guidelines for evaluating and assessing water pollution as stated in Annexes 6 and 14 of the TM respectively.
- 3.4.6.2 The assessment area for the water quality impact assessment shall include areas within 500 metres from the boundary of the Project and shall cover Deep Bay Water Control Zone as designated under the Water Pollution Control Ordinance (Cap. 358) and water sensitive receivers (WSRs) in the vicinity of the Project. The assessment area shall be extended to include other area(s), if they are found also being affected by the Project during the course of the EIA study and have a bearing on the environmental acceptability of the Project.
- 3.4.6.3 The water quality impact assessment for the construction and operation of the Project shall follow the detailed technical requirements given in **Appendix D** of this EIA Study Brief.
- 3.4.7 **Waste Management Implications**
- 3.4.7.1 The Applicant shall follow the criteria and guidelines for evaluating and assessing the waste management implications as stated in Annexes 7 and 15 of the TM respectively.
- 3.4.7.2 The assessment of waste management implications arising from the construction and operation of the Project shall follow the detailed technical requirements given in **Appendix E** of this EIA Study Brief.
- 3.4.8 **Ecological Impact (Terrestrial and Aquatic)**
- 3.4.8.1 The Applicant shall follow the criteria and guidelines for evaluating and assessing ecological impact as stated in Annexes 8 and 16 of the TM respectively.
- 3.4.8.2 The assessment area for the purpose of the terrestrial ecological impact assessment shall include area(s) within 500 metres from the boundary of the Project and the works area(s) of the Project as identified in the EIA study, any other area(s) likely to be impacted by the Project. For aquatic ecology, the assessment area shall be the same as the water quality impact assessment described in section 3.4.6 of this EIA study brief.
- 3.4.8.3 The ecological impact assessment for the construction and operation of the Project shall follow the detailed technical requirements given in **Appendix F** of this EIA Study Brief.
- 3.4.9 **Visual Impact**
- 3.4.9.1 The Applicant shall follow the criteria and guidelines for evaluating and assessing the visual impacts as stated in Annexes 10 and 18 of the TM respectively, and the latest version of the EIAO Guidance Note “Preparation of Landscape and Visual Impact Assessment under the EIAO”, published on the website of the Environmental Protection Department, unless otherwise agreed by the Director.

3.4.9.2 The assessment area for the visual impact assessment shall be defined by the visual envelop of the Project. The extent of the defined visual envelope shall be shown on a plan and documented in the EIA report.

3.4.9.3 The assessment of visual impact from operation of the Project shall follow the detailed technical requirements given in **Appendix G** of this EIA Study Brief.

### **3.5 Environmental Monitoring and Audit (EM&A) Requirements**

3.5.1 The Applicant shall identify and justify in the EIA study whether there is any need for EM&A activities during the construction and operation of the Project and, if affirmative, to define the scope of the EM&A requirements for the Project in the EIA study.

3.5.2 Subject to the confirmation of the EIA study findings, the Applicant shall comply with the requirements as stipulated in Annex 21 of the TM.

3.5.3 The Applicant shall prepare a Project Implementation Schedule (in the form of a checklist as shown in **Appendix H**) containing the EIA study recommendations and mitigation measures with reference to the implementation programme.

### **3.6 Presentation of Summary Information**

#### **3.6.1 Summary of Environmental Outcomes**

The EIA report shall contain a summary of key environmental outcomes arising from the EIA study, including estimated population protected from various environmental impacts, environmentally sensitive areas protected, environmentally friendly options considered and incorporated in the preferred option, environmental designs recommended, key environmental problems avoided, compensation areas included and the environmental benefits of environmental protection measures recommended.

#### **3.6.2 Summary of Environmental Impacts**

To facilitate effective retrieval of pertinent key information, the EIA report shall contain a summary table of environmental impacts showing the assessment points, results of impact predictions, relevant standards or criteria, extents of exceedances predicted, impact avoidance measures considered, mitigation measures proposed and residual impacts (after mitigation). This summary shall cover each individual impact and shall also form an essential part of the executive summary of the EIA report.

#### **3.6.3 Documentation of Key Assessment Assumptions, Limitation of Assessment Methodologies and related Prior Agreement(s) with the Director**

The EIA report shall contain a summary including the assessment methodologies and key assessment assumptions adopted in the EIA study, the limitations of these

assessment(s) methodologies/assumptions, if any, plus relevant prior agreement(s) with the Director or other Authorities on individual environmental media assessment components. The proposed use of any alternative assessment tool(s) or assumption(s) have to be justified by the Applicant, with supporting documents based on cogent, scientific and objectively derived reason(s) before seeking the Director's agreement. The supporting documents shall be provided in the EIA report.

#### 3.6.4 Summary of Alternative Options and Mitigation Measures

The EIA report shall contain a summary of alternative development options and measures considered during the course of the EIA study, including size/scale, design, construction methods and sequence of works for the Project, with a view to avoiding, minimising and mitigating adverse environmental impacts. A comparison of the environmental benefits and dis-benefits of applying different development options, and/or mitigation measures shall be made. This summary shall cover the key impacts and shall also form an essential part of the executive summary of the EIA report.

#### 3.6.5 Documentation of Public Concerns

The EIA report shall contain a summary of the main concerns of the general public, special interest groups and the relevant statutory or advisory bodies received and identified by the Applicant during the course of the EIA study, and describe how the relevant concerns have been taken into account.

### 4. **DURATION OF VALIDITY**

- 4.1 The Applicant shall notify the Director of the commencement of the EIA study. If the EIA study does not commence within 36 months after the date of issue of this EIA Study Brief, the Applicant shall apply to the Director for a fresh EIA Study Brief before commencement of the EIA study.

### 5. **REPORTING REQUIREMENTS**

- 5.1 In preparing the EIA report, the Applicant shall refer to Annex 11 of the TM for the contents of an EIA report. The Applicant shall also refer to Annex 20 of the TM, which stipulates the guidelines for the review of an EIA report. When submitting the EIA report to the Director, the Applicant shall provide a summary, pointing out where in the EIA report the respective requirements of this EIA Study Brief and the TM (in particular Annexes 11 and 20) have been addressed and fulfilled.
- 5.2 To facilitate the updating of the ecological information of the Centralised Environmental Database, the Applicant shall provide the raw data of the ecological habitat maps including the project location and boundary, types and locations of habitats, findings of ecological field surveys and species of conservation interest in the assessment area in shapefile or GeoJSON or other format as agreed with the Director. The data shall be submitted in 3 copies of CD-ROM, DVD±R or other suitable means as agreed with the Director.

- 5.3 The Applicant shall supply the Director with hard and electronic copies of the EIA report and the executive summary in accordance with the requirements given in **Appendix I** of this EIA Study Brief. The Applicant shall, upon request, make additional copies of the above documents available to the public, subject to payment by the interested parties of full costs of printing.

## 6. OTHER PROCEDURAL REQUIREMENTS

- 6.1 If there is any change in the name of the Applicant for this EIA Study Brief during the course of EIA study, the Applicant must notify the Director immediately.
- 6.2 If there is any key change in the scope of the Project mentioned in Section 1.2 of this EIA Study Brief and in Project Profile (No. PP-674/2024), the Applicant must seek confirmation from the Director in writing on whether or not the scope of issues covered by this EIA Study Brief can still cover the key changes, and the additional issues, if any, that the EIA study must also address. If the changes to the Project fundamentally alter the key scope of the EIA Study Brief, the Applicant shall apply to the Director for a fresh EIA Study Brief.

## 7. LIST OF APPENDICES

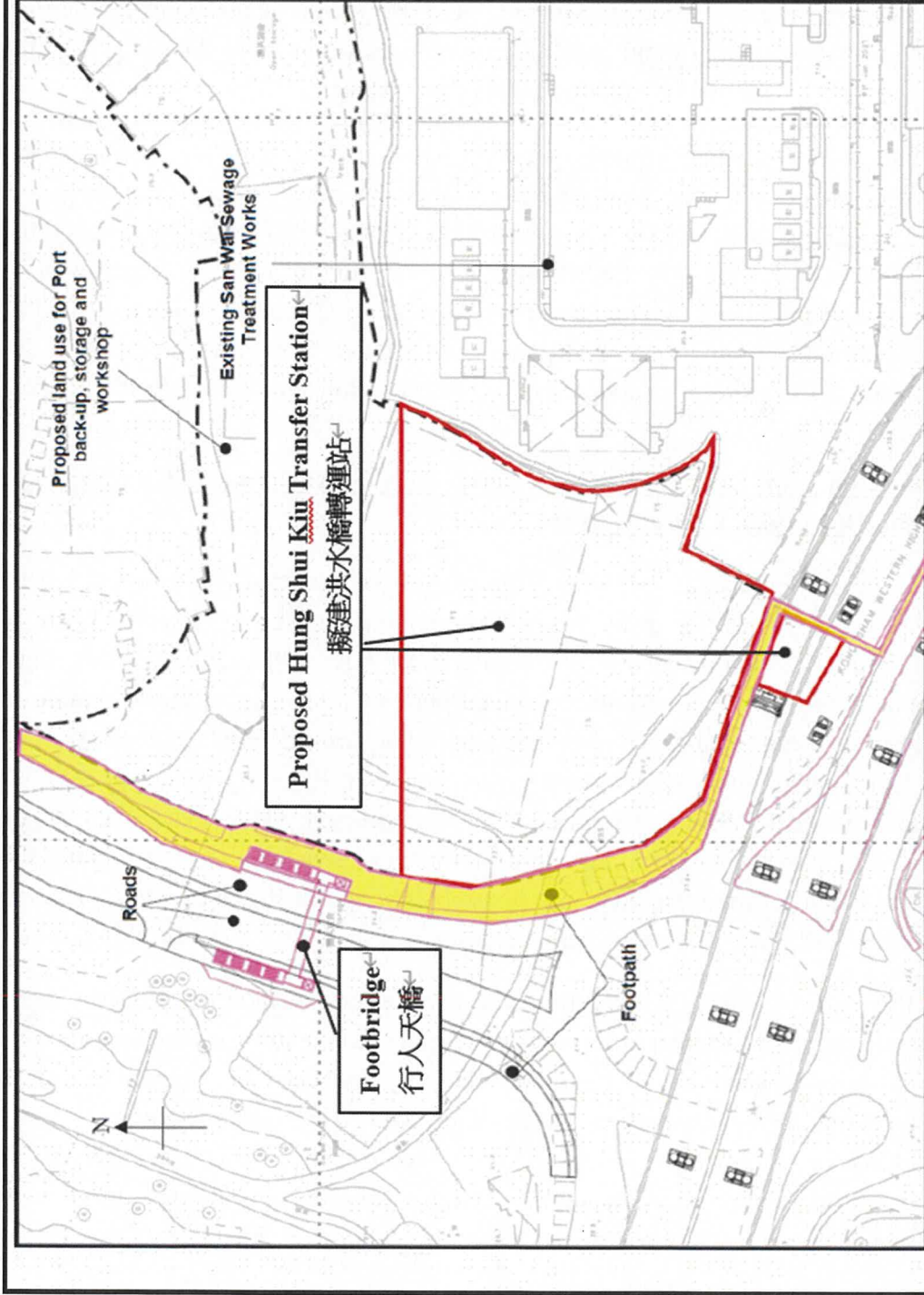
- 7.1 This EIA Study Brief includes the following appendices:

Appendix A	-	Project Location Plan
Appendix B	-	Requirements for Air Quality Impact Assessment
Appendix B-1	-	Air Quality Modelling Guidelines
Appendix C	-	Requirements for Noise Impact Assessment
Appendix D	-	Requirements for Water Quality Impact Assessment
Appendix E	-	Requirements for Assessment of Waste Management Implications
Appendix F	-	Requirements for Ecological Impact Assessment (Terrestrial and Aquatic)
Appendix G	-	Requirements for Visual Impact Assessment
Appendix H	-	Implementation Schedule of Recommended Mitigation Measures
Appendix I	-	Requirements for EIA Report Documents

--- END OF EIA STUDY BRIEF ---

October 2024  
Environmental Assessment Division  
Environmental Protection Department

**Appendix A**



**Legend**

- Preliminary site boundary for Hung Shui Kiu Transfer Station  
洪水橋轉運站初步場地界線
- Proposed footpath outside the site of Hung Shui Kiu Transfer Station  
洪水橋轉運站用地外擬建的行人路

**Project Title: Development of Hung Shui Kiu Transfer Station**

(This figure is prepared based on Figure 1.2 of Project Profile)

工程項目名稱：發展洪水橋廢物轉運站

(本圖是根據工程項目簡介圖 1.2 編製)

EIA Study Brief No.: ESB-371/2024  
環評研究概要編號：

Appendix A: Project Location Plan  
附錄 A: 工程項目位置圖



**Appendix B****Requirements for Air Quality Impact Assessment****1. Background and Analysis of Activities**

- (i) Provision of background information relating to air quality issues relevant to the Project, e.g. description of the types of activities of the Project that may affect air quality during the construction and operation of the Project.
- (ii) Provision of an account, where appropriate, of the consideration/measures that have been taken into consideration in the planning of the Project to avoid and minimise the air pollution impact. The Applicant shall consider alternative construction methods and phasing programmes to minimise the air quality impact during the construction and operation of the Project.
- (iii) Provision of the background air quality levels in the evaluation area. Projection of future year background air quality shall be based on the “Pollutants in the Atmosphere and their Transport over Hong Kong” (PATH) model released by the Director with necessary modification according to the emission scenarios(s) of the assessment year(s). If a modification to the emission sources is to be adopted in the PATH model to update the projection of future year background air quality, details of the emission sources adopted in the modification should be clearly presented.

**2. Identification of Air Sensitive Receivers (ASRs) and Examination of Emission/Dispersion Characteristics**

- (i) Identification and description of the existing, committed and planned ASRs that would likely be affected by the Project, including those earmarked on the relevant Outline Zoning Plans, Development Permission Area Plans, Outline Development Plans, Layout Plans and other relevant published land use plans, including plans and drawings published by the Lands Department and any land use and development applications approved by the Town Planning Board. The Applicant shall identify ASRs that represent the worst impact point of these ASRs. A map clearly showing the location and description such as name of the buildings, uses and height of the selected ASR points shall be given. The separation distances of these ASRs from the nearest emission sources shall also be given.
- (ii) Provision of a list of air pollution emission sources, including any nearby emission sources which are likely to have impact related to the Project based on the analysis of the construction and operation activities in section 1 above. Examples of construction stage emission sources and nearby air emission sources include site clearance, excavation, backfilling, vehicular movements, etc. Examples of operational stage emission sources include odour and air pollutant emissions from the refuse transfer station and associated facilities including the wastewater

treatment plant, odour from transport, storage and handling of any waste and sludge, emissions from road vehicles, chimneys, etc. Confirmation regarding the validity of the assumptions adopted and the magnitude of the activities (e.g. volume of construction material to be handled, number of trips of construction vehicles and on-site machinery to be used at a time etc.) shall be obtained from the relevant government departments/authorities, where applicable, and documented in the EIA report. Methodology of traffic forecast shall be agreed with Transport Department.

- (iii) Identification of chimneys and obtainment of relevant chimney emission data in the assessment area, where appropriate, by carrying out a survey for assessing the cumulative air quality impact of air pollutants through chimneys. The Applicant shall ensure and confirm the validity of the emission data used in their assessment. Any errors found in their emission data used may render the submission invalid.
- (iv) The emissions from any concurrent projects identified as relevant during the course of the EIA study shall be taken into account as contributing towards the overall cumulative air quality impact. The impact as affecting the existing, committed and planned ASRs within the study area shall be assessed, based on the best information available at the time of assessment.

### **3. Construction Phase Air Quality Impact**

- (i) The Proponent shall follow the requirements stipulated under the Air Pollution Control (Construction Dust) Regulation and good site practice to ensure that construction air quality impacts are effectively controlled. Constructional air quality impact assessment within the assessment area should be conducted qualitatively.
- (ii) The Proponent shall consider and evaluate direct mitigation measures, including but not limited to water-spraying, re-scheduling construction programme to minimise concurrent air quality impact arising from different construction sites, for fugitive dust and gaseous emission control. The Proponent shall also consider connecting construction plant and equipment to mains electricity supply and avoid use of diesel generators and diesel-powered equipment as far as practicable to minimise air quality impact arising from the equipment. The Proponent shall describe the means of transportation and their routings involved, with a view to addressing potential constructional air quality impact caused by transportation activities. Any mitigation measures and good site practice recommended for constructional air quality impact should be well documented in the EIA report.
- (iii) A monitoring and audit programme for the construction phase of the Project shall be devised to verify the effectiveness of the proposed control measures so as to ensure proper control of constructional air quality impact.

#### **4. Operational Phase Air Quality Impact**

- (i) The Applicant shall assess the expected air quality impact arising from the activities in the proposed refuse transfer station and associated facilities including odour and air pollutant emissions at the identified ASRs during the operational phase based on assumed reasonably worst-case scenario under normal operating condition. The Applicant shall follow the methodology set out in Section 5 below when carrying out the quantitative assessment.
- (ii) A monitoring and audit programme for the operational stage shall be devised to verify the effectiveness of the control measures proposed so as to ensure proper control of operational air quality impacts.

#### **5. Quantitative Assessment Methodology**

- (i) The Applicant shall conduct the quantitative assessment by applying the general principles enunciated in the modelling guidelines in Appendix B-1 while making allowance for the specific characteristic of the Project. This specific methodology must be documented in such level of details, preferably assisted with tables and diagrams, to allow the readers of the EIA report to grasp how the model has been set up to simulate the situation under study without referring to the model input file.
- (ii) Detailed calculations of air pollutants emission rates for input to the model and map(s) showing road links and emission sources shall be presented in the EIA report. The Applicant must ensure consistency between the text description and the model files at every stage of submissions for review. In case of doubt, prior agreement between the Applicant and the Director on the specific modelling details should be sought.
- (iii) The Applicant shall identify the key/representative air pollution parameters (types of pollutants and averaging time concentrations) to be evaluated and provide explanation for selecting such parameters for assessing the impact from the Project.
- (iv) The air pollution impacts of future road traffic shall be calculated based on the highest emission strength from the road vehicles in the assessment area within the next 15 years upon commissioning of the Project. The Applicant shall demonstrate that the selected year of assessment represents the highest emission scenario given the combination of vehicular emission factors and traffic flow for the selected year. The Applicant may use EMFAC-HK model released by the Director to determine the Fleet Average Emission Factors, taking into account vehicle fleet mix and other necessary data on each road section. Vehicle emissions, including running, start/idling emissions, at parking sites, public transport interchanges, and bus/minibus termini, if any, that would contribute significantly to the overall cumulative air quality impact at nearby ASRs shall be taken into account in the assessment. Unless otherwise agreed by the Director, the latest version of the



EMFAC-HK model shall be used. Use of any alternatives to the EMFAC-HK model shall be agreed with the Director. The traffic forecast data and assumptions, such as the hourly traffic volume, average speed, vehicle composition and number of trips, soaking and idling time data and the exhaust technology fractions, vehicle age/population distribution, etc. that are used in the assessment shall be presented.

- (v) Emissions from road traffic, marine traffic, other industrial sources and nearby concurrent projects within the assessment area, which contribute to the cumulative air quality impact of the identified ASRs, should be taken into account and be included in the dispersion models accepted by the Director.
- (vi) For projection of future background air quality, the Proponent may use the PATH model released by the Director, taking into consideration the major air pollutant emission sources projected for Hong Kong and nearby regions. Unless otherwise agreed by the Director, the latest version of the PATH model shall be used. If any modification is made to the emission sources in PATH model or an alternative model is used, details of the emission sources adopted should be clearly presented. In general, major point sources (referred in Section 2.3 of EPD's "Guidelines on Assessing the 'TOTAL' Air Quality Impacts") located within 4 kilometres from the identified ASRs shall be reviewed if they have direct contributions of air quality impacts to the ASRs on the concerned pollutants of the assessment. In such case, these point sources shall be simulated by dispersion model to account for their induced sub-grid scale spatial variations in background air quality. The exact approach shall be determined according to the case specific situation and subject to the agreement by the Director.
- (vii) The Applicant shall calculate the overall cumulative air quality impact at the ASRs identified under section 2 above and compare these results against the criteria set out in section 1 of Annex 4 in the TM. The predicted air quality impacts shall be presented in the form of summary table(s) and pollution contours, to be evaluated against the relevant air quality standards and on any effect they may have on the land use implications. Plans of a suitable scale should be used to present pollution contours to wholly cover the assessment area and allow buffer distance requirements to be determined properly.
- (viii) For the quantitative assessment of the odour emission impact upon the identified ASRs, the odour emission strength/ rates shall be based on the results of odorous air sampling/ measurement conducted directly at the odour emission sources of the facilities with similar characteristic or other method to be agreed by the Director. The designed performance of the deodourisation system (e.g. guaranteed odour removal efficiency, guaranteed outlet concentration, etc.) shall be provided. The details of such odorous air sampling/ measurement, including the methodology and calculation of the odour emission strength/rates, and the designed performance of deodourisation system, shall be presented in the EIA report.

## **6. Mitigation Measures for Air Quality Impact**

### 6.1 Consideration for Mitigation Measures

- (i) When the predicted air quality impact exceeds the criteria set in section 1 of Annex 4 in the TM, the Applicant shall consider mitigation measures including but not limited to pollutant control technology measures (e.g. installation of air pollution control equipment at exhaust, etc.) to reduce the air quality impact on the identified ASRs. The feasibility, practicability, programming and effectiveness of the recommended mitigation measures shall be assessed and documented in the EIA report. Specific reasons for not adopting certain workable mitigation measures to reduce the air quality to a level meeting the criteria in the TM or to maximise the protection of the ASRs as far as possible should be clearly substantiated and documented in the EIA report. If these measures will result in any constraints on future land use planning outside the Project site, the Applicant shall liaise with the relevant government departments/ authorities and document the agreement in the EIA report in order to demonstrate that the proposed measures are feasible and practicable. The Applicant shall demonstrate quantitatively that the residual impacts after incorporation of the proposed mitigation measures will comply with the criteria stipulated in the TM.

### 6.2 Evaluation of Residual Air Quality Impact

- (i) Upon consideration of mitigation measures, if the mitigated air quality impact still exceeds the relevant criteria in Annex 4 of the TM, the Applicant shall identify, predict, and evaluate the residual air quality impact in accordance with section 4.4.3 and section 4.5.1(d) of the TM.

## **7. Submission of Emission Calculation Details and Model Files**

- (i) All input and output file(s) of the model run(s), including those files for the generation of pollution contours as well as the emissions calculation worksheets, shall be submitted to the Director in electronic format together with the submission of the EIA report.

**Appendix B-1**

**Air Quality Modelling Guidelines**

*[The information contained in this Appendix is meant to assist the Applicant in performing the air quality assessment. The Applicant must exercise professional judgment in applying this general information.]*

The air quality modelling guidelines refer to the latest version of guidelines as published on the website of the Environmental Protection Department “*Guidelines for Local-Scale Air Quality Assessment Using Models*”:

([https://www.epd.gov.hk/epd/english/environmentinhk/air/guide\\_ref/guide\\_aqa\\_model.html](https://www.epd.gov.hk/epd/english/environmentinhk/air/guide_ref/guide_aqa_model.html)):

**Appendix C****Requirements for Noise Impact Assessment****1 Description of the Noise Environment**

- 1.1 The Applicant shall describe the prevailing noise environment in the EIA report.

**2 Road Traffic Noise Impact Assessment**

The Applicant shall review in the EIA report the need for a noise impact assessment associated with the road traffic noise induced by the operation of the Project. A road traffic noise impact assessment is needed if the peak traffic generated by the Project would fall within night time or early morning. The following assessment requirements shall be followed if road traffic noise assessment is needed.

**2.1 Road Traffic Noise Impact Assessment Methodology**

The Applicant shall calculate traffic noise levels in respect of each road section and the overall noise levels from combined road sections (including existing, new/altered road sections) at the NSRs in accordance with methodology in Section 5.1 of Annex 13 of the TM. The Applicant shall propose the assessment year for agreement of the Director before commencing the assessment.

**2.1.1 Input Data of Computational Model**

The Applicant shall provide the input data set of the road traffic noise computational model adopted in the assessment for various scenarios. The data shall be in electronic text file (ASCII format) containing road segments, barriers and noise sensitive receivers information. CD-ROM(s) containing the above data shall be submitted together with the EIA report.

**2.2 Identification of Road Traffic Noise Impact****2.2.1 Identification of Assessment Area and Noise Sensitive Receivers**

- (a) The Applicant shall propose the assessment area for agreement of the Director before commencing the assessment.
- (b) The Applicant shall identify existing, committed and planned NSRs in the assessment area and select assessment points to represent identified NSRs for carrying out quantitative road traffic noise impact assessment.

- (c) The assessment points shall be confirmed with the Director prior to the commencement of the quantitative road traffic noise impact assessment and may be varied subject to the best and latest information available during the course of the EIA study.
- (d) A map showing the location and description such as name of building, use, and floor of each and every selected assessment point shall be given. Photographs of existing NSRs shall be appended to the EIA report.
- (e) For planned noise sensitive land uses without committed site layouts, the Applicant should use the relevant land use and planning parameters and conditions to work out representative site layouts for road traffic noise impact assessment purpose. However, such parameters and conditions together with any constraints identified shall be confirmed with the relevant responsible parties including Planning Department and Lands Department

#### 2.2.2 Inventory of Noise Sources

- (i) The Applicant shall analyse the scope of the proposed road alignment(s) to identify road sections for the purpose of road traffic noise impact assessment. Road sections to be included in road traffic noise impact assessment shall be confirmed with the Director prior to the commencement of the assessment.
- (ii) Methodology of traffic forecast shall be agreed with Transport Department and the traffic flow prediction of road sections for the purpose of road traffic noise impact assessment shall be documented in the EIA report.

### 2.3 Prediction and Evaluation of Road Traffic Noise Impact

#### 2.3.1 Scenario

- (a) The Applicant shall quantitatively assess the road traffic noise impact of the Project, with respect to the criteria set in Annex 5 of the TM, of unmitigated scenario and mitigated scenario at assessment year.
- (b) The Applicant shall provide the input data sets of traffic noise model prediction model adopted in the EIA study as requested by the Director for the following scenarios:
  - (i) scenario without the Project at the assessment year;
  - (ii) unmitigated scenario at assessment year;

- (iii) mitigated scenario at assessment year; and
- (iv) prevailing scenario for indirect mitigated measures eligibility assessment.

### 2.3.2 Prediction of Noise Impact

- (a) The Applicant shall present the predicted noise levels in  $L_{10}$  (1 hour) dB(A) at the selected assessment points at various representative floor levels (in m P.D.) on tables and plans of suitable scale.
- (b) The assessment shall cover the cumulative road traffic noise impact resulting from the road traffic noise due to the Project and existing road network on existing, committed and planned NSRs within the assessment area.
- (c) The potential road traffic noise impact under different scenarios shall be quantified by estimating the total number of dwellings, classrooms and other noise sensitive receivers that will be exposed to noise impact exceeding the criteria set in Annex 5 in the TM.

## 2.4 Mitigation of Road Traffic Noise Impact

### 2.4.1 Direct Mitigation Measures

- (a) Where the predicted road traffic noise level exceeds the criteria set in Annex 5 of the TM and at the same time is greater than that without the Project at assessment year by 1.0dB(A) or more, the Applicant shall consider and evaluate direct mitigation measures including but not limited to noise barrier/enclosure, etc. The feasibility, practicability, programming and effectiveness of the recommended mitigation measures shall be assessed. Any direct mitigation measures recommended should be well documented in the report. Specific reasons for not adopting certain direct mitigation measures to reduce the noise to a level meeting the criteria in the TM or to maximise the protection for the NSRs as far as possible should be clearly quantified and documented in the EIA report.
- (b) The total number of noise sensitive receivers that will be benefited from and be protected by the provision of direct mitigation measures should be provided. The total number of other noise sensitive receivers that will still be exposed to noise above the criteria with the implementation of all recommended direct mitigation measures shall be quantified.
- (c) For planned noise sensitive uses which will still be affected even with practicable direct mitigation measures in place, the Applicant shall propose, evaluate

and confirm the practicability of additional direct mitigation measures within the planned noise sensitive uses and shall make recommendations on how these noise sensitive uses will be designed for the information of relevant parties.

(d) The Applicant shall take into account agreed environmental requirements / constraints identified in the EIA study to assess the development potential of concerned sites which shall be made known to the relevant parties.

#### 2.4.2 Indirect Mitigation Measures

(a) Upon exhaust of direct mitigation measures, where the predicted road traffic noise impact still exceeds the criteria set in Table 1A of Annex 5 of the TM, the Applicant shall consider indirect mitigation measures in the form of window insulation and air-conditioning and evaluate in accordance with section 6.3 in Annex 13 of the TM.

(b) The Applicant shall identify and estimate the total number of existing dwellings, classrooms and other noise sensitive elements which may qualify for indirect mitigation measures, the associated costs and any implications for such implementation.

(c) For the purpose of determining eligibility of the affected premises for indirect mitigation measures, reference shall be made to methodology accepted by the recognised national/international organization or methodologies adopted for Hong Kong projects having similar issues on proposing an assessment methodology for determining eligibility of the indirect mitigation measures which shall be confirmed with the Director with reference to section 4.4.2 of the TM, prior to the commencement of the assessment.

#### 2.5 Evaluation of Residual Road Traffic Noise Impact

Upon exhaust of direct and indirect mitigation measures, if the mitigated noise impact still exceeds the relevant criteria in Annex 5 of the TM, the Applicant shall identify, predict and evaluate the residual road traffic noise impact in accordance with section 4.4.3 of the TM and section 6.3 in Annex 13 of the TM.

**Appendix D****Requirements for Water Quality Impact Assessment**

1. The Applicant shall identify and analyse physical, chemical and biological disruptions of the water system(s) arising from the construction and operation of the Project.
2. The Applicant shall predict and assess any water quality impacts arising from the construction and operation of the Project.
3. The assessment shall include the following:
  - (i) the water quality impacts of effluent generated during the construction stage such as site runoff, wastewater from concrete batching, wheel washing and those specified in the ProPECC PN 2/23;
  - (ii) the water quality impacts of leachate generated from waste handling/compaction and seepage from waste collection vehicles, wash water from general washing and vehicles washing, surface runoff from contaminated areas, and sewage from on-site staff and visitors during the operation stage;
  - (iii) the water quality impacts arising from the proposed wastewater treatment facilities including discharge of treated effluent, and discharge of sewage and leachate under emergency situations during the operation stage; and
  - (iv) the water quality impacts on river courses, drainages system, and other water sensitive receivers which may be affected by the Project.
4. The Applicant shall address water quality impacts due to the construction and operation of the Project. Essentially, the assessment shall address the following:
  - (i) collect and review background information on affected existing and planned water system(s), their respective catchments and sensitive receivers which might be affected by the Project;
  - (ii) characterise water quality of the water system(s) and sensitive receivers, which might be affected by the Project based on existing best available information and through appropriate site survey and tests when existing data are insufficient;
  - (iii) identify and analyse relevant existing and planned future activities, beneficial uses and water sensitive receivers (WSRs) related to the affected water system(s). The Applicant should refer to, *inter alia*, those developments and uses earmarked on the relevant Outline Zoning Plans, Development Permission Area Plans, Outline Development Plans and Layout Plans, and any other relevant published land use plans including plans and drawings published by Lands Department and any land use and development applications approved by the Town Planning Board;



- (iv) identify pertinent water quality objectives and establish other appropriate water quality criteria or standards for the water system(s) and the sensitive receivers identified in (i), (ii) and (iii) above;
- (v) review the specific construction methods and configurations, and operation of the Project to identify and predict the likely water quality impacts arising from the Project;
- (vi) identify any alteration of any water courses, natural streams, ponds, wetlands; change in flow regimes of water bodies, change of catchment types or areas; erosion or sedimentation due to the Project and any other hydrological changes in the assessment area;
- (vii) identify and quantify existing and likely future water pollution sources, including point discharges and sewage from workforce and wastewater generated from the construction and operation of the Project;
- (viii) identify existing and likely future non-point pollution sources generated from the construction and operation of the Project, and quantify where necessary the pollution levels;
- (ix) provide an emission inventory on the quantities and characteristics of those existing and future pollution sources in the assessment area. Field investigation and laboratory test, shall be conducted as appropriate to fill relevant information gaps;
- (x) predict and quantify the impacts on the water system(s) and its/their sensitive receivers due to those alterations and changes identified in (vi) above, and pollution sources identified in (vii) and where necessary (viii) above. The prediction shall consider both construction and operation aspects of the Project;
- (xi) assess the cumulative impacts due to other relevant concurrent and planned projects, activities or pollution sources within the assessment area that may have a bearing on the environmental acceptability of the Project;
- (xii) analyse the provision and adequacy of existing and planned future facilities to handle or reduce pollution arising from the point and non-point sources identified in (vii) and (viii) above;
- (xiii) develop effective infrastructure upgrading or provision, contingency plan, water pollution prevention and mitigation measures to be implemented during construction and operation stages so as to reduce the water quality impacts to within standards. Requirements to be incorporated in the Project contract document shall also be proposed;

- (xiv) investigate and develop best management practices to reduce storm water and non-point source pollution including leachate seepage during waste transportation as appropriate; and
  
- (xv) evaluate and quantify residual impacts on water system(s) and the sensitive receivers with regard to the appropriate water quality objectives, criteria, standards or guidelines. If the mitigated water quality impact still exceeds the relevant criteria in Annex 6 of TM, the Applicant shall identify, predict and evaluate the residual water quality impact in accordance with Section 4.4.3 of the TM and estimate the significance of the residual impact to the water system(s) and the water sensitive receivers.

**Appendix E****Requirements for Assessment of Waste Management Implications**

The assessment of waste management implications shall cover the following:

**1. Analysis of Activities and Waste Generation**

- (i) The Applicant shall identify the quantity, quality and timing of the wastes arising as a result of the construction and operation activities of the Project based on the sequence and duration of these activities, method and process of these activities, e.g. any construction and demolition (C&D) materials, chemical waste and other wastes which would be generated during construction and operation stages.
- (ii) The Applicant shall adopt appropriate design, general layout, construction methods and programme to minimise the generation of public fill/inert C&D materials and maximise the use of public fill/inert C&D materials for other construction works.

**2. Proposal for Waste Management**

- (i) Prior to considering the disposal options for various types of wastes, opportunities for reducing waste generation, on-site or off-site re-use and recycling shall be evaluated. Measures which can be taken in the planning and design stages (e.g. by modifying the design approach) and in the construction stage for maximising waste reduction shall be separately considered.
- (ii) After considering the opportunities for reducing waste generation and maximising re-use, the types and quantities of the wastes required to be disposed of as a consequence shall be estimated and the disposal methods/options for each type of wastes shall be described in detail. The disposal methods/options recommended for each type of wastes shall take into account the result of the assessment in sub-section (iv) below.
- (iii) The EIA report shall state the transportation routings and the frequency of the trucks/vessels involved, any barging point or conveyor system to be used, the stockpiling areas and the disposal outlets for the waste identified.
- (iv) The impact caused by handling (including stockpiling, labelling, packaging and storage), collection, transportation and reuse/disposal of wastes shall be addressed in detail and appropriate mitigation measures shall be proposed.

**Appendix F****Requirements for Ecological Impact Assessment (Terrestrial and Aquatic)**

1. The Applicant shall examine the flora, fauna and other components of the ecological habitats within the assessment area. The aim shall be to protect, maintain or rehabilitate the natural environment. In particular, the Project shall avoid or minimise impacts on recognised sites of conservation importance and other ecologically sensitive areas such as the watercourses in the vicinity and the mitigation wetlands re-provisioned under the Deep Bay Link Project. The assessment shall identify and quantify as far as possible the potential ecological impacts to the natural environment and the associated wildlife groups and habitats/species arising from the Project directly by physical disturbance and indirectly by potential impacts such as change of water quality and hydrodynamic regime to the natural environment and the associated wildlife groups and habitats/species, during its construction and operation phases as well as the subsequent management and maintenance of the proposals.
2. The assessment shall include the following:
  - (i) Review of the findings of relevant studies/surveys, including the approved EIA report (EIAO Register No.: AEIAR-203/2016) for the project “*Hung Shui Kiu New Development Area*” kept in the EIAO Register and collate the available information regarding the ecological characters of the assessment area;
  - (ii) Evaluation of information collected and identification of any information gap relating to the assessment of potential ecological impact, and determine the ecological field surveys and investigations that are needed for an impact assessment as required in the following sections;
  - (iii) Carrying out necessary field surveys of at least 6 months covering both the wet and dry seasons, and investigations to verify the information collected in (ii) above, to fill the information gaps identified and to fulfil the objectives of the EIA study. The field surveys shall cover flora, fauna and any other habitats/ species of conservation importance;
  - (iv) Establishment of the general ecological profile of the assessment area based on data of relevant previous studies/surveys and results of the ecological field surveys, if any, and description of the characteristics of each habitat found. The data set should be comprehensive and representative covering the variations of the wet and dry seasons, and is up to date and valid for the purpose of this assessment. Major information to be provided shall include:
    - (a) description of the physical environment, including all recognized sites of conservation importance and other ecologically sensitive areas, and

- assessment of whether these sites/areas will be affected by the Project or not;
- (b) habitat maps of suitable scale (1:1000 to 1:5000) showing the types and locations of habitats and species of conservation importance in the assessment area;
  - (c) ecological characteristics of each habitat type such as size, vegetation, type, species present, dominant species found, species diversity and abundance, community structure, seasonal pattern, ecological value and inter-dependence of the habitats and species, and presence of any features of ecological importance;
  - (d) representative colour photographs of each habitat type and any important ecological features identified; and
  - (e) species found that are rare, endangered and/or listed under local legislation, international conventions for conservation of wildlife/habitats or Red Data Books.
- (v) Investigation and description of the existing wildlife uses of the various habitats with special attention to those wildlife groups and habitats with conservation importance, including but not limited to:
- (a) shrubland, grassland, plantations, and woodland;
  - (b) natural and man-made wetlands including watercourses and mitigation wetlands;
  - (c) vertebrates (e.g., avifauna, mammals such as bats, fish, herpetofauna);
  - (d) macroinvertebrates (e.g., butterflies, odonates, fireflies, freshwater invertebrates); and
  - (e) any other habitats or species identified as having conservation importance by this study.
- (vi) Description of all recognised site of conservation importance in the assessment area and in its vicinity;
- (vii) Using suitable methodology and considering also other projects in the vicinity of the Project area reasonably likely to occur at the same time, identification and quantification as far as possible of any direct, indirect, on-site, off-site, primary, secondary and cumulative ecological impacts, such as destruction of habitats,

reduction of species abundance/diversity, loss of roosting, breeding and/or feeding grounds, reduction of ecological carrying capacity, loss in ecological linkage and function, habitat fragmentation and any other possible disturbance caused by the Project, and in particular the followings:

- (a) noise, glare, dust, traffic, light, vibration and other human disturbance to wildlife in the vicinity during construction and operation phases;
  - (b) indirect ecological impacts due to changes in the water quality and hydrology as a result of surface run-off, leachate generated from waste handling/compaction, seepage from waste collection vehicles, discharge of treated effluent, accidental or emergency discharge of untreated sewage, etc in the watercourses and other habitats in the assessment area during construction and operation phases; and
  - (c) cumulative impacts due to the Hung Shui Kiu Development within the assessment area of the Project.
- (viii) Evaluation of ecological impact based on the best and latest information available during the course of the EIA study, using quantitative approach as far as practicable and covering construction and operation phases of the Project as well as the subsequent management and maintenance requirement of the Project;
- (ix) Recommendations for possible alternatives and practicable mitigation measures, such as restriction of works at specified season or time, adoption of appropriate construction methods and/or programme, to avoid, minimize and/or compensate for the adverse ecological impacts identified during construction and operation of the Project;
- (x) Evaluation of the feasibility and effectiveness of the recommended mitigation measures and definition of the scope, type, location, implementation arrangement, resources requirement, subsequent management and maintenance of such measures;
- (xi) Determination and quantification as far as possible of the residual ecological impacts after implementation of the proposed mitigation measures;
- (xii) Evaluation of the significance and acceptability of the residual ecological impacts by making reference to the criteria in Annex 8 of the TM, and determine if off-site mitigation measures are necessary to mitigate the residual impacts and if affirmative, guidelines and requirements laid down in Annex 16 of the TM should be followed; and

- (xiii) Review of the need for and recommendation on any ecological monitoring programme required.

**Appendix G****Requirements for Visual Impact Assessment**

1. A system shall be derived for judging the visual impact significance as required under the Annexes 10 and 18 of the TM and the latest version of the EIAO Guidance Note “Preparation of Landscape and Visual Impact Assessment under the EIAO” published on the website of the Environmental Protection Department, unless otherwise agreed by the Director.
2. The Applicant shall assess the visual impact of the Project. Clear illustrations including mapping of visual impact is required. Descriptive text shall provide a concise and reasoned judgment from a visual point of view. Visual impact assessment (VIA) shall take into account existing / planned / approved land uses as the baseline conditions. All direct impacts on existing / planned / approved land uses, and on future outlook of the area shall be discussed. The assessment shall include the following:
  - (i) identification and plotting of visual envelope of the Project;
  - (ii) appraisal of existing visual resources and characters as well as future outlook of the visual system of the assessment area;
  - (iii) identification and justification of the key public viewing points within the visual envelope and their views at sea level, ground level, and elevated vantage points, and clearly indicate the key public viewing points on a plan of appropriate scale. Prior to the Visual Impact Assessment (VIA), the selection of representative public viewing points shall be agreed with Planning Department and the Director;
  - (iv) evaluation of the magnitude of change in terms of visual composition, visual obstruction and visual change of the Project with the existing and planned visual context, and sensitivity of viewers in terms of types of viewers and value of existing views;
  - (v) the visual impact of the Project with and without mitigation measures during operation phase shall be included and illustrated so as to demonstrate the effectiveness of the proposed mitigation measures across time; and
  - (vi) evaluation and explanation with supportive arguments of factors considered in arriving the significance thresholds of visual impact. The visual impacts should include presentation of an evaluation matrix derived for judging impact significance.



3. Alternative location, layout, development options, alignment, design, built-form and construction methods that would avoid or reduce the identified impacts on visual amenity shall be thoroughly examined before adopting other mitigation or compensatory measures. The applicant shall recommend mitigation measures which shall not only focus on damage reduction but also potential enhancement of existing visual quality of the area. The recommendations shall also be illustrated in visual impact mitigation measure plan.
4. The mitigation measures shall include provision of woodland restoration, erection of decorative screen hoarding compatible with surrounding setting, provisioning/reprovisioning of amenity areas and open spaces, design and layout of structures, facade treatment, creation of interesting visual features and any measures to mitigate the impact on existing and planned viewers. Parties shall be identified for the ongoing management and maintenance of the proposed mitigation works to ensure their effectiveness throughout the implementation of the Project. Agreement from relevant authorities responsible for funding, implementation, management and maintenance of proposed mitigation measures have to be obtained before including into the VIA. A practical programme for the implementation of the recommended measures shall be provided.
5. Annotated illustration materials such as coloured perspective drawings, plans and section/elevation diagrams, oblique aerial photographs, photographs taken at public viewing points, and computer-generated photomontage shall be adopted to fully illustrate the visual impacts of the Project. In order to illustrate the visual impacts and to demonstrate the effectiveness of the proposed visual mitigation measures, photomontages at selected representative public viewing points shall be prepared to illustrate existing conditions and proposed development with and without mitigation measures at the operation stage, unless otherwise agreed by the Director. Computer graphics shall be in a common format compatible with desktop computers. The Applicant shall record the technical details in preparing the illustrations, which may need to be submitted for verification of the accuracy of the illustrations.

**Appendix H**

**Implementation Schedule of Recommended Mitigation Measures**

EIA Ref.	EM&A Ref.	Recommended Mitigation Measures	Objectives of the Measure & Main Concerns to Address	Who to Implement the Measure?	Location of the Measure	When to Implement the Measure?	What Standards or Requirements for the Measure to Achieve?

**Appendix I****Requirements for EIA Report Documents**

1. The Applicant shall supply the Director with the following number of copies of the EIA report and the executive summary:
  - (i) 30 copies of the EIA report and 30 copies of the executive summary (each bilingual in both English and Chinese) as required under Section 6(2) of the EIAO to be supplied at the time of application for approval of the EIA report.
  - (ii) When necessary, addendum to the EIA report and the executive summary submitted in item (i) above as required under Section 7(1) of the EIAO, to be supplied upon advice by the Director for public inspection.
  - (iii) 20 copies of the EIA report and 50 copies of the executive summary (each bilingual in both English and Chinese) with or without Addendum as required under Section 7(5) of the EIAO, to be supplied upon advice by the Director for consultation with the Advisory Council on the Environment.
2. In addition, to facilitate public inspection of EIA report via EIAO Internet Website, the Applicant shall provide electronic copies of both the EIA report and executive summary prepared in Hyper Text Markup Language (HTML) and in Portable Document Formats (PDF), unless otherwise agreed by the Director. For both of the HTML and PDF versions, a content page capable of providing hyperlink to each section and sub-section of the EIA report and executive summary shall be included in the beginning of the document. Hyperlinks to figures, drawings and tables in the EIA report and executive summary shall be provided in the main text from where respective references are made. The EIA report, including drawings, tables, figures and appendices shall be viewable by common web-browsers including the latest version of Microsoft Edge, Mozilla Firefox, Safari, Google Chrome or any web browsers as agreed by the Director, and support languages including Traditional Chinese, Simplified Chinese and English.
3. The electronic copies of the EIA report and the executive summary shall be submitted to the Director at the time of application for approval of the EIA report.
4. When the EIA report and the executive summary are made available for public inspection under Section 7(1) of the EIAO, the content of the electronic copies of the EIA report and the executive summary must be the same as the hard copies and the Director shall be provided with the most updated electronic copies.

5. To promote environmentally friendly and efficient dissemination of information, both hardcopies and electronic copies of future EM&A reports recommended by the EIA study shall be required and their format shall be agreed by the Director.

**ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE  
(CAP. 499)**

**GUIDANCE NOTE ON ADVERTISEMENT AND  
PUBLIC INSPECTION OF DOCUMENTS**

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**ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE  
(CAP.499)**

**GUIDANCE NOTE ON ADVERTISEMENT AND  
PUBLIC INSPECTION OF DOCUMENTS**

**1. Purpose**

This guidance note sets out the advertisement requirements and the arrangement for public inspection of a project profile or an environmental impact assessment (EIA) report submitted under the Environmental Impact Assessment (EIA) Ordinance (the Ordinance).

This guidance note should be read in conjunction with "A Guide to the EIA Ordinance" which can be obtained from the EIA Ordinance Register Office at 27/F, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong or downloaded from the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

**2. Advertising the Availability of Project Profile and the Arrangement for its Public Inspection**

***The Requirement***

Under the Ordinance, an applicant should advertise, at his or her own expense, the availability of a project profile for the following applications:

- (i) an application for EIA study brief under section 5.(1)(a) of the Ordinance; or
- (ii) an application for permission to apply directly for environmental permit under section 5.(1)(b) of the Ordinance.

***Timing and Frequency of Advertisement***

An applicant should advertise the availability of the project profile on the day following the submission of the application form and the project profile to the Director of Environmental Protection (the Director).

The applicant would only need to make one advertisement in a Chinese newspaper and an English newspaper, unless further information relating to the project profile is required and the applicant has been advised by the Director to advertise the availability of the additional information.

***The Format and Size of Advertisement***

For a project profile submitted for an application for EIA study brief, the format of advertisement should follow Appendix 1.

For a project profile submitted for an application for permission to apply directly for environmental permit, the format of advertisement should follow Appendix 2. The applicant should state clearly whether the application is pursuant to section 5.(9), 5.(10) or 5.(11) of the Ordinance.

### ***Advertising the Availability of Additional Information***

If the Director requires further information concerning the project profile, the applicant may have to advertise the availability of the additional information. The Director will advise the applicant the details of such an advertisement.

### ***Period and Place of Public Inspection of Project Profile***

The Director will place the project profile at the following locations for the public to inspect for 14 days from the day of the advertisement:

- (a) The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays);
- (b) Wan Chai Environmental Resource Centre, 221 Queen's Road East, Wan Chai, Hong Kong (Opening hours: Monday, Wednesday to Sunday Friday 1000 to 1700, closed on Tuesday, Saturday, Sunday and Public Holidays) [Note: Temporarily closed due to renovation.]; and
- (c) the relevant District Offices in those districts where the designated project will be located (Opening hours: normal office hours of District Offices).

The Director will also upload the project profile to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

Before the public inspection period expires, the public may forward written comments to the Director by post or fax or email to the EIA Ordinance Register Office at the following address:

The EIA Ordinance Register Office  
Environmental Protection Department  
27th floor, Southorn Centre,  
130 Hennessy Road,  
Wanchai, Hong Kong  
Fax. no.: 2147 0894  
Email address: [eiaocomment@epd.gov.hk](mailto:eiaocomment@epd.gov.hk)



### 3. Advertising the Availability of EIA Report and the Arrangement for its Public Inspection

#### *The Requirement*

Under the Ordinance, an applicant should advertise the availability of the EIA report when the report is considered by the Director as meeting the requirements of the EIA study brief and the Technical Memorandum on EIA Process.

#### *Delivery of EIA Reports*

The applicant should notify EPD of date of advertisement at least two full working days before the day of first advertisement and submit (no. of EIA report specified in the EIA study brief) with electronic copy to the EIA Ordinance Register Office on the 27th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong. If EPD find the electronic copy differs from the hard copy substantially, the applicant would be required to defer the date of advertisement until the defect is rectified.

#### *Timing and Frequency of Advertisement*

The applicant should advertise the availability of the EIA report once every 10 days of the 30 days public inspection period. The arrangement should be as follows:

- (a) the first advertisement to be placed on the same day of the placing of the report at locations required by the Director;
- (b) the second advertisement to be placed 10 days after the first advertisement; and
- (c) the third advertisement to be placed 10 days after the second advertisement.

#### *The Format and Size of Advertisement*

The format of the advertisement should follow Appendix 3. If the Director requires any other information relating to the project to be set out in the advertisement, the applicant will be informed of the requirements.

#### *Re-advertisement*

If the applicant fails to comply with the requirements for advertising the availability of the EIA report, the Director may require the applicant to re-advertise or extend the period of public inspection for up to another 30 days.

#### *Period and Place of Public Inspection of EIA Report*

The applicant should make available at least two copies of the EIA report at a location in his or her office that is accessible to the public during normal office hours. The advertisement notice should be attached to the EIA report so that the public can know the duration of the public inspection period and the address to which his or her written comments can be sent.

The applicant should provide sufficient copies of the EIA report for the Director to place them at the following locations for the public to inspect for 30 days:

- (a) The EIA Ordinance Register Office, Environmental Protection Department, 27th

floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays);

- (b) Wan Chai Environmental Resource Centre, 221 Queen's Road East, Wan Chai, Hong Kong (Opening hours: Monday, Wednesday to Sunday Friday 1000 to 1700, closed on Tuesday, Saturday, Sunday and Public Holidays) [Note: Temporarily closed due to renovation.]; and
- (c) the relevant District Offices in those districts where the designated project will be located (Opening hours: normal office hours of District Offices).

The Director will also upload the EIA report to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

Before the public inspection period expires, the public may forward written comments to the Director by post or fax or email to the EIA Ordinance Register Office at the address given in this guidance note.

#### **4. Confirmation of Advertisement**

The applicant should confirm that the advertisement have been placed as required by filling in Appendix 4 or 5 and faxing it back on the day of the advertisement to the EIA Ordinance Register Office at fax. no. 21470894, together with copies of the advertisements.

#### **5. Further Enquiries**

Any further enquiries could be made to the EIA Ordinance Register Office.

**END**

## Appendix 1 - Format of Advertisement for Application for EIA Study Brief

### **ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE (CHAPTER 499)** **Application for Environmental Impact Assessment Study Brief under Section 5.(1)(a)**

An application for environmental impact assessment (EIA) study brief to proceed with EIA study for << *title of the proposed designated project* >> has been submitted by << *name of the applicant* >> to the Director of Environmental Protection under section 5.(1)(a) of the EIA Ordinance.

The project profile prepared by the applicant is now available for inspection from << *date of this advertisement* >> to << *date of this advertisement + 13 calendar days* >> at the following locations:

- i. The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays); and
- ii. << *relevant District Office(s)* >> during normal office hours.

The project profile will also be uploaded to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

The public may forward written comments on the project profile to the Director of Environmental Protection on environmental issues covered by the Technical Memorandum on EIA Process within 14 days of this advertisement. The Technical Memorandum can be obtained from the EIA Ordinance Register Office or the EIA Ordinance website. The comments from the public may be forwarded to any relevant parties in processing of the application. Any written comments should be sent to the following address by post or fax or email:

The EIA Ordinance Register Office  
Environmental Protection Department  
27th floor, Southorn Centre,  
130 Hennessy Road,  
Wanchai, Hong Kong.

Fax. no.: 2147 0894

Email address: [eiaocomment@epd.gov.hk](mailto:eiaocomment@epd.gov.hk)

<< *Date of advertisement* >>

## Appendix 2 - Format of Advertisement for Application for Permission to Apply Directly for Environmental Permit

### ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE (CHAPTER 499)

#### Application for Permission to Apply Directly for Environmental Permit under Section 5.(1)(b) and << either Section 5.(9), 5.(10) or 5.(11), use one number only in this box >>

An application for permission to apply directly for environmental permit has been submitted by << name of the applicant >> for the << title of the proposed designated project >> to the Director of Environmental Protection under section 5.(1)(b) and << section 5.(9), 5.(10) or 5.(11), fill in one section number only in this box >> of the Environmental Impact Assessment (EIA) Ordinance.

The project profile prepared by the applicant is now available for inspection from << date of this advertisement >> to << the date of this advertisement + 13 calendar days >> at the following locations:

- i. The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays); and
- ii. << relevant District Office(s) >> during normal office hours.

The project profile will also be uploaded to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

The public may forward written comments on the project profile to the Director of Environmental Protection on environmental issues covered by the Technical Memorandum on EIA Process within 14 days of this advertisement. The Technical Memorandum can be obtained from the EIA Ordinance Register office or the EIA Ordinance website. The comments from the public may be forwarded to any relevant parties in processing of the application. Any written comments should be sent to the following address by post or fax or email:

The EIA Ordinance Register Office  
Environmental Protection Department  
27th floor, Southorn Centre,  
130 Hennessy Road,  
Wanchai, Hong Kong

Fax. no.: 2147 0894

Email address: [eiaocomment@epd.gov.hk](mailto:eiaocomment@epd.gov.hk)

<< Date of advertisement >>

## Appendix 3 - Format of Advertisement for Application for Approval of EIA Report

### ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE (CHAPTER 499)

#### Public Inspection of Environmental Impact Assessment Report under Section 7.(1)

An application for approval of environmental impact assessment (EIA) report for the << *title of the proposed designated project* >> has been submitted by << *name of the applicant* >> to the Director of Environmental Protection under section 6.(2) of the EIA Ordinance.

The EIA report prepared by the applicant is now available for the public to inspect under section 7.(1) of the Ordinance from <<*date of the first advertisement*>>to<<*date of the first advertisement + 29 calendar days*>> at the following locations:

- i. The EIA Ordinance Register Office, Environmental Protection Department, 27th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: Monday to Friday 0900 to 1700, closed on Saturday, Sunday and Public Holidays);
- ii. << *the applicant's office address and opening hours* >>; and
- iii. << *relevant District Office(s)* >> during normal office hours.

The EIA report will also be uploaded to the EIA Ordinance website (<https://www.epd.gov.hk/eia>).

The public may seek clarification or assistance in understanding the EIA report from the << *name of the applicant* >> at <<*telephone numbers*>> during office hours <<*the applicant's office opening hours*>>. The public may forward written comments on the EIA report to the Director of Environmental Protection on environmental issues covered by the Technical Memorandum on EIA Process before the public inspection period expires. The Technical Memorandum can be obtained from the EIA Ordinance Register office or the EIA Ordinance website. The comments from the public may be forwarded to the applicant or any relevant parties in processing of the application. Any written comments should be sent to the following address by post or fax or email:

The EIA Ordinance Register Office  
Environmental Protection Department  
27th floor, Southorn Centre,  
130 Hennessy Road,  
Wanchai, Hong Kong.

Fax. no.: 2147 0894

Email address: [eiaocomment@epd.gov.hk](mailto:eiaocomment@epd.gov.hk)

Date of the first advertisement: << *Date of the first advertisement* >>

Date of this advertisement: << *Date of this advertisement* >>

**Environmental Impact Assessment Ordinance  
Confirmation of Advertisement for the Availability of Project Profile**

From: \_\_\_\_\_ To: EIA Ordinance Register Office  
(Fax. no.: 2147 0894)

Date: \_\_\_\_\_

Tel. no.: \_\_\_\_\_

Please complete the following and return it by fax to 21470894, with a copy of the advertisements appeared in the newspapers, on the day the advertisement has been made.

1. Title of the Designated Project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Reference No. of Application:

\_\_\_\_\_

3. The Name of the Chinese Newspaper and the Date of Advertisement:

\_\_\_\_\_

4. The Name of the English Newspaper and the Date of Advertisement:

\_\_\_\_\_

5. Number of pages faxed: \_\_\_\_\_

**Environmental Impact Assessment Ordinance**  
**Confirmation of Advertisement for the Availability of**  
**Environmental Impact Assessment Report**

From:

To: EIA Ordinance Register Office  
(Fax. no.: 2147 0894)

Date:

Tel. no.:

Please complete the following and return it by fax to 21470894, with a copy of the advertisements appeared in the newspapers, on the day the advertisement has been made.

1. Title of the Designated Project:

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2. Reference No. of Application:

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3. Please tick one of the following:

- the first advertisement during the public inspection period  
 the second advertisement during the public inspection period  
 the third advertisement during the public inspection period

4. The Name of the Chinese Newspaper and the Date of Advertisement:

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5. The Name of the English Newspaper and the Date of Advertisement:

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6. Number of pages faxed:

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**MODUS OPERANDI OF THE  
ENVIRONMENTAL IMPACT ASSESSMENT SUBCOMMITTEE OF  
THE ADVISORY COUNCIL ON THE ENVIRONMENT**

**Purpose**

This paper sets out the *modus operandi* of the Environmental Impact Assessment (EIA) Subcommittee of the Advisory Council on the Environment (ACE) so as to facilitate smooth proceedings of subcommittee meetings. The current *modus operandi* was last updated and endorsed by ACE in July 2009.

**Background**

2. ACE is the Government's principal advisory body on matters relating to environmental protection and nature conservation. The terms of reference of ACE are –

- (a) to keep under review the state of the environment in Hong Kong; and
- (b) to advise the Government, through the Secretary for Environment and Ecology, on appropriate measures which might be taken to combat pollution of all kinds, and to protect and sustain the environment.

3. The EIA Subcommittee is set up under ACE to study EIA reports of major development projects. It also comments on strategic environmental assessment reports of major planning projects. The terms of reference of the EIA Subcommittee are –

- (a) to receive and study EIA reports of major development projects; and
- (b) to report on its deliberations and findings and make recommendations to ACE.



## **EIA Process**

4. ACE and the EIA Subcommittee are involved in three main stages of the EIA process, namely commenting on the project profiles for designated projects, selection of EIA reports for submission to ACE and commenting on selected EIA reports. In accordance with ETWB Technical Circular (Works) No. 13/2003, the statutory gazetting of a project under the relevant ordinances can be done in parallel with the EIA process. Separately, consultation with District Councils and other relevant parties may proceed in advance of or in parallel with the submission of EIA reports to the EIA Subcommittee.

## **Project Profiles**

5. Under section 5 of the EIA Ordinance, ACE and members of the public may comment on the project profile of a designated project within 14 days of it being advertised. It is hence not necessary for the EIA Subcommittee to present to the Director of Environmental Protection (DEP) the collective view of the EIA Subcommittee on project profiles. To ensure that comments on project profiles, if any, are given to DEP within the statutory time limit, individual ACE Members would write to DEP directly. Where necessary, the ACE Member may copy his/her comments to the Chairman and Members for information.

## **Selection of EIA Reports**

6. Project proponents of designated projects will have to present their EIA reports to ACE if they are required to submit the reports to the Council. Members of the EIA Subcommittee will be asked to select those projects which they consider should require a presentation to the EIA Subcommittee by the project proponent. The selection outcome is for internal planning of the schedule of the EIA Subcommittee and will not be divulged to the project proponent. Only those projects selected by half or more of EIA Subcommittee Members will be selected. The project proponent concerned will be notified of the selection outcome only after DEP has decided that the EIA report is ready for public inspection and submission to ACE for advice.

7. During the project selection process, if individual EIA Subcommittee Member has special concerns/comments on a certain project, he/she could draw the EIA Subcommittee Chairman's attention to his/her concerns/comments and the Chairman would consider the need to review the decision on selection of the EIA report for submission to ACE.

8. For projects not selected, the project proponent will be required to send the Executive Summary of the EIA report to the EIA Subcommittee. Members would pass their comments, if any, to DEP directly within the prescribed public inspection period and if necessary, copy his/her comments to the Chairman and Members of the EIA Subcommittee for information. At the ACE meeting immediately following the issue of the Executive Summaries of the EIA reports, the EIA Subcommittee Chairman will report to ACE about the submission of these Executive Summaries for information of Members and record as projects not selected for discussion.

### **Meeting Arrangements**

9. The EIA Subcommittee will basically meet on a monthly basis. Meetings will be held when there is submission of EIA report(s) or issue(s) to be discussed.

10. To facilitate focused discussion, the EIA Subcommittee will generally consider no more than two EIA reports in each meeting. EPD will prepare a paper on each EIA report to be submitted to the EIA Subcommittee highlighting the key environmental issues and major findings of the EIA study. Upon expiry of the report inspection period by the general public, EPD will summarize all public comments received during the period for consideration of the EIA Subcommittee. The project proponent, where applicable, will provide the EIA Subcommittee with a report on the site selection process of the project, setting out the alternative sites that have been considered and the reasons of the selection of the particular site when such information is not provided in the EIA report. The paper, the EIA report and the site report, if any, will normally be issued to EIA Subcommittee Members two weeks before the scheduled meeting. The summary of public comments will also be given to Members before the meeting. Members will be asked to indicate whether it is necessary for the project proponent to attend the meeting or the report could be considered by circulation. Project proponents will be informed accordingly before the scheduled meeting.

11. Summary of the public comments will also be provided to non-EIA Subcommittee Members for reference to facilitate their discussion of the EIA Subcommittee's recommendations at the next ACE meeting before the Council tenders its comments to DEP on the EIA report as provided for under the EIA Ordinance.

12. Members of the EIA Subcommittee may raise questions in writing on an EIA report before the scheduled meeting and the project proponent should provide written response to the Secretariat at least three working days before the meeting.

13. Each discussion item on an EIA report would include a Presentation Session by the project proponent, a Question-and-Answer Session and Internal Discussion Sessions. The Presentation Session and the Question-and-Answer Session are open up for broadcasting and members of the public can view the sessions real time in the public viewing room. The EIA Subcommittee would allocate as much time to the Question-and-Answer Session as possible.

14. The presentation by the project proponent should cover, inter alia, the major conclusions and recommendations of the EIA study. In addition, the project proponent should provide a concise and objective account of the main concerns of the general public and interest groups made known during the EIA study and the public inspection stages, and explain how these concerns are addressed in the EIA study.

### **Criteria for Assessing EIA Reports**

15. EIA reports will be assessed by the EIA Subcommittee according to the requirements of the Technical Memorandum on the EIA Process and the study brief of the individual projects issued by DEP.

### **Recommendations to the Full Council**

16. The EIA Subcommittee can make one of the following recommendations to the full Council –

- (i) endorse the EIA report without condition; or
- (ii) endorse the EIA report with condition(s); or
- (iii) reject the EIA report and inform the proponent the right to go to the full Council.

17. If the EIA Subcommittee cannot reach a consensus (i.e. if two or more Members do not agree with the conclusion of the EIA Subcommittee) during the meeting, it may –

- (i) ask for a second submission to the EIA Subcommittee; or
- (ii) defer the decision to the full Council and highlight issues or reasons for not reaching a consensus for the full Council's deliberation.

18. Other than the scenario in paragraph 17 above or the EIA Subcommittee Chairman considers it appropriate, the recommendations of the EIA Subcommittee will not be discussed in detail in the full Council.

## **Other Rules that apply to EIA Subcommittee Meetings**

19. Apart from the procedures mentioned above, the following rules also apply to EIA Subcommittee meetings –

- (i) the quorum for EIA Subcommittee meetings should be half of the number of EIA Subcommittee Members, including the Chairman;
- (ii) ACE Members who are not EIA Subcommittee Members may attend EIA Subcommittee meetings and participate in the discussion of the meetings but they shall not vote when votes are taken;
- (iii) Council Members and EIA Subcommittee Members should declare direct and indirect interest before deliberating on agenda items so that the EIA Subcommittee Chairman could decide whether they should take part in the discussion or in the case of EIA Subcommittee Members to vote;
- (iv) the confirmed minutes of the EIA Subcommittee (with Members' names deleted) are uploaded on the ACE's website for public inspection;
- (v) the Presentation Session and Question-and-Answer Session of a discussion item on an EIA report at the EIA Subcommittee meeting requiring the attendance of the project proponent team will be opened to the public. The opening up of these sessions is an administrative arrangement only. The open meeting arrangements are not applicable to internal discussion sessions of a discussion item on an EIA report and all other sessions of the meetings of the EIA Subcommittee;
- (vi) special meetings may be called to consider urgent items. The EIA Subcommittee will consider each case individually should there be requests for direct submissions to the full Council;
- (vii) there will not be a limit on the number of professionals/experts to be invited to each EIA Subcommittee meeting for items requiring their assistance. In these cases and where votes are taken, these professionals/experts shall not vote; and
- (viii) to facilitate effective deliberation at meetings of the EIA Subcommittee, the EIA Subcommittee may appoint Members to

advise the EIA Subcommittee on specific subject areas of EIA reports. The appointed Members would consider the assigned subjects of an EIA report, and seek advice from the relevant authorities designated under the EIAO as necessary before EIA Subcommittee meetings.

20. The revised *modus operandi* of the EIA Subcommittee has taken effect in April 2013 upon endorsement of ACE.

[Note: Government official title in paragraph 2 is updated as a result of the organisational changes in the Government with effect from 1 July 2022.]

**EIA Subcommittee Secretariat**  
**April 2013**